

FEIN, SUCH, KAHN & SHEPARD, PC.

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TAMMY L. TERRELL, ESQ.- 4062
AD1456

IN RE:

JAMES GAVENAS AND
CATHY A. GAVENAS aka
CATHY S. BERTONE aka
C. STAGG BERTONE

Debtors.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Chapter 7

Case No. 08-15851 RG

**NOTICE OF MOTION TO VACATE
AUTOMATIC STAY PURSUANT TO 11
U.S.C. 362 (d)**

Hearing Date: May 27, 2008

TO: ANDREW T. SHAW, ESQ.
301 DOVER-CHESTER ROAD
RANDOLPH, NJ 07869
Debtors' Attorney

GARY S. JACOBSON, ESQ.
P.O. BOX 276
LIBERTY CORNER, NJ 07938
Trustee in Bankruptcy

JAMES GAVENAS
CATHY A. GAVENAS aka
CATHY S. BERTONE aka
C. STAGG BERTONE
36 HILLARD ROAD
MOUNT ARLINGTON, NJ 07856
Debtor(s)

SIR and MADAM:

PLEASE TAKE NOTICE that the undersigned attorney for the
Secured Creditor, CHASE HOME FINANCE, LLC., as servicer for

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE C/O CHASE HOME FINANCE LLC AS SERVICING AGENT, shall move before the, United States Bankruptcy Judge, Honorable Rosemary Gambardella, 50 Walnut Street, Newark, NJ 07102 on the 27TH day of May, 2008, at 10:00 a.m., or as soon thereafter as counsel may be heard, for the following relief:

A. For an Order to Vacate the Automatic Stay pursuant to 11 U.S.C. 362 (d) (1) and/or (2) to permit CHASE HOME FINANCE, LLC., as servicer for DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE C/O CHASE HOME FINANCE LLC AS SERVICING AGENT, to proceed against the Debtors and to foreclose upon residential real property of the Debtors known as 36 HILLARD RD, MOUNT ARLIN, NJ 07856 (hereinafter "Premises"), by any lawful means in the Superior Court of New Jersey, Chancery Division; and

B. For such other relief as is just.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, counsel will rely upon the Affidavit of ADVANTA MORTGAGE CORP. .

Dated: April 26, 2008

FEIN, SUCH KAHN & SHEPARD, PC.
Attorneys for Secured Creditor

By: /S/ TAMMY L. TERRELL, ESQ.